

LAW OFFICE OF
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January 10, 2002

Sent Via Regular Mail and Facsimile: 360/613-1868
And Facsimile 360/479-0742 Also Certified Mail

William & Natasha Sesko
3536 Arsenal Way
Bremerton, WA 98312

Re: City of Bremerton v. Sesko

Dear Mr. & Mrs. Sesko:

When we met on December 19, 2000 you indicated that you would prepare a plan within four days of that meeting which you would present to the City of Bremerton which would allow you to move the 153 items, to the extent that the City contractors had not moved such goods off the site to an area at the back of your land to give you the opportunity to move such items off of the site. No work was done on the site between Christmas and the New Year holiday, which would have facilitated preparation and implementation of such a plan. No plan was presented to the City. To avoid payment of demobilization fees to the City Contractor, it was necessary for the City Contractor to commence work again on January 2, 2002.

In a letter dated December 24, 2001, you asked for clarification of what "list" the City wants you to provide. The City wants you to tell Enforcement Officer Janet Lunceford which residential vehicles you will retain.

On numerous occasions, I have urged you to cooperate with the abatement process to avoid unnecessarily increasing the cost of this clean-up action. I have explained to you on several occasions that it is necessary for you to designate with labels, which are numbered, the six vehicles, which you wish to retain for residential use and park such vehicles on your driveway. Otherwise, the City has no way of determining which cars you intend to retain for residential use. On December 31, 2001 and on January 4, 2001, when I discussed the need to label and number the six residential vehicles you wanted to retain, you indicated that the designation and labeling of residential vehicles was the City's job. Judge Haberly's Order entered on November 30, 2001 imposed that responsibility on you and stated:

BREMERTON-000249

The Seskos may retain six residential vehicles on their property, which must be stored on the driveway of their property on the date that the clean up of their property commences December 17, 2001). The six vehicles only can include a functional bus, motorcycles, cars or trucks. Such vehicles must be marked with labels numbering the vehicles one through six no later than December 11, 2001 and the City of Bremerton is allowed to make a photographic record of such vehicles on that date at 12:30 pm.

There has been no compliance with that provision of the November 30, 2001 court order. This circumstance has delayed the clean-up action. Because the City is uncertain about which vehicles you want to retain for your residential use, the City has been unable to tell its contractor to remove all vehicles on the site as expeditiously as possible. According to the City Contractor, this delay will add to the cost of the clean up action. To avoid increasing the cost of this action, the City urges you to label the vehicles in accord with the specifications of the court order. Otherwise the City will be constrained to select six vehicles on a random basis or go to court and ask that you be held in contempt of court for violation of the order entered on November 30, 2001 and penalize you for such noncompliance.

You have expressed concern about the construction of a containment area on your site. The City's contractor, Buckley Recycling constructed one this week.

In a letter dated December 24, 2001 you discuss the effects of the abatement work on your property; at the end of this action, the City contractor will restore your site to the condition it was in when work commenced.

Very truly yours,

LAW OFFICE OF JANE RYAN KOLER,

P.L.L.C.

Jane Ryan Koler

JRK:cb
Cc: Janet Lunceford